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U.S.D.C. Atlanta

ORIGINAL

United States District Court
NORTHERN DISTRICT OF GEORGIA

APR 17 2014

JAMES N. HATTEN, Clerk
By: *DRB* Deputy Clerk

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

BRENDAN SHERROD PERSON, and
SHERMAN BERNARD JACKSON

Case Number: 1:14-MJ-382
UNDER SEAL

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. Between on or about May 28, 2013 and April 2, 2014 in DeKalb, Fulton and Douglas Counties, located in the Northern District of Georgia, defendant(s) did, aided and abetted by each other, knowingly Engage in Dealing in Firearms without a License, knowingly Smuggle Goods from the United States and knowingly Failed to Declare Firearms to a Common Carrier.

in violation of Title 18, United States Code, Section(s) 922(a)(1)(A); 554(a); 922(e); and 2.

I further state that I am a(n) ATF Special Agent and that this complaint is based on the following facts:

PLEASE SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof. Yes



Signature of Complainant
AMY K. L. MCLEOD

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

April 17, 2014

Date

at Atlanta, Georgia

City and State

GERRILYN G. BRILL
UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

AUSA STEPHANIE GABAY-SMITH

UNITED STATES ATTORNEYS OFFICE

NORTHERN DISTRICT OF GEORGIA



Signature of Judicial Officer

ATTEST: A TRUE COPY
CERTIFIED THIS

APR 17 2014

James N. Hatten, Clerk
By: *DRB* Deputy Clerk

AFFIDAVIT

I, Amy K. L. McLeod, affiant, being duly sworn, do depose and state the following:

1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since November 2005. As an ATF SA, I have completed the Criminal Investigator Training Program at the Federal Law Enforcement Training Center and have completed specialized training in the fields of firearms, explosives and arson, and the Federal laws and regulations pertaining thereto, through the ATF Special Agent Basic Training academy. My duties as an ATF SA include, but are not limited to, investigating violations of federal firearms and explosives laws and regulations. I was previously assigned, from November 2005 through November 2008, to the ATF Riverside Field Office in Riverside, California. I am currently assigned to ATF Atlanta Group IV, where my duties include the investigation and enforcement of violations of firearms laws and associated violations encountered in the course of these duties. Prior to becoming employed with ATF, I received a Bachelor of Science degree in Administration of Justice from Portland State University located in Portland, Oregon.

2. The information in this affidavit is based upon my personal knowledge, observations, review of information received from other law enforcement agencies, and my consultation with law enforcement experts. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PURPOSE OF AFFIDAVIT

3. This affidavit is made in support of an arrest warrant for Sherman Bernard JACKSON and Brendan Sherrod PERSON for evidence of violations of federal firearms laws including, but not limited to, Title 18, United States Code, Section 922 (a)(1)(A) Dealing Firearms Without a License; Title 18, United States Code, Section 554 (a) Smuggling Goods from the United States; Title 18, United States Code, Section 922 (e) Failing to Declare Firearms to a Common Carrier; and Title 18, United States Code, Section 371 Conspiracy. This affidavit is intended to establish probable cause for the requested arrest warrants and does not purport to set forth all of my knowledge of, or investigation into, this matter. The information set forth in this affidavit is based upon my experience, training, personal knowledge, observations, and consultations with other law enforcement investigators and agents, and other sources of information related to this investigation.

STATEMENT OF PROBABLE CAUSE

4. Beginning in June 2013, ATF and other agencies began investigating an international firearms trafficking scheme, facilitated via the US Mail, in which a person or group utilized a clandestine website known as Blackmarket Reloaded (BMR).¹ This

¹ Blackmarket Reloaded, commonly known as BMR, is a marketplace type website operating on The Onion Router (TOR) network. It was one of several “black market” TOR sites specializing in the sale of narcotics, weapons, fraudulent documents, and other contraband items. Individuals could obtain a “buyer” account, which was free, or a “vendor” account, which required a one-time payment to BMR as well as a percentage of any sales made. A separate BMR forum was operated concurrently with the BMR site, and allowed users to participate in public discussions about other BMR users, reviews of sellers, questions, and numerous other topics, including the news.

person or group operated on BMR as usernames CherryFlavor and WorldWideArms.

5. In June 2013, the Australian Crime Commission contacted ATF regarding a firearm recovered by Australian Customs agents in Melbourne, Australia. The firearm was found secreted inside a karaoke machine contained within a package, hereafter PARCEL A. The firearm and relevant shipping information is described as:

- Zastava, Model CZ, 9mm pistol, bearing serial number 96378;
- PARCEL A was sent on May 28, 2013, USPS Tracking Code EI418984646, shipped from the United States Post Office (USPO) in Winston, GA;
- Consignee: Daniel Sutherland, 45 Princes Hwy, Werribee, Melbourne, 3030 Victoria, Australia;
- Consignor: Dean Stradford, Emiron Music, Inc., 101 2nd Avenue NE, Decatur, AL 35601.

6. Australian authorities conducted a controlled delivery of PARCEL A and interviewed the cosignee, Aaron Howie, who stated he used the alias Daniel Sutherland when he had the firearm shipped because he knew it was contraband. Howie stated he purchased the Zastava pistol on BMR from username CherryFlavor and paid for the purchase with approximately \$3000 in Bitcoins.²

² Bitcoin is an anonymous, decentralized form of electronic currency, existing solely on the internet. It has no central authority and does not utilize traditional banking institutions. Bitcoin is generated and controlled automatically through computer software operating on a peer-to-peer network. An individual maintains their Bitcoin currency in an encrypted “wallet” associated with a Bitcoin “address,” designated by a complex string of letters and numbers. The address is analogous to the account for a bank account, while the wallet is analogous to a bank safe where the money in the account is physically located.

7. The Zastava pistol contained in PARCEL A was traced by the ATF National Tracing Center at the request of the Australian authorities and was determined to be lawfully purchased from a Federal Firearms Licensee (FFL) by James Wingate, located in the Murfreesboro, TN area. ATF Nashville agents interviewed Wingate and determined that he had last sold the firearm to William Jackson, located in Clarksville, TN. ATF agents interviewed William Jackson, who claimed to have privately sold the firearm to an unknown white or Hispanic male named Tommy during the weekend of May 10, 2013, at the Wal-Mart located on Howell Mill Road in the Atlanta, GA area. William Jackson provided his (Jackson) telephone number of (404) 664-0657.

8. On June 23, 2013, Australian authorities notified ATF that the Australian Customs and Border Protection Agency had intercepted another package, and a firearm was found secreted inside a DVD player contained within the package, hereafter PARCEL B. The firearm and relevant shipping information is described as:

- Sig Sauer, Model Mosquito, .22lr pistol, bearing serial number F23887;
- PARCEL B was sent on June 6, 2013, USPS Tracking Code EI420082340US, shipped from the USPO located on Howell Mill Road in Atlanta, GA;
- Consignee: Simon Corso, 8 Versailles Place, Narre Warren 3805, Melbourne, Victoria, Australia;
- Consignor: Tracy Dunnigan, The Gift Niche, 101 Market Square, Roanoke, VA 24011.

9. The Sig Sauer pistol contained in PARCEL B was traced by ATF, and was determined to be lawfully purchased from an FFL by David Walker, located in the Gainesville, Georgia area. On July 10, 2013, ATF agents interviewed Walker, who stated

he purchased the firearm and did not like it, so he advertised the firearm for sale on a firearms enthusiast website called TheOutdoorsTrader.com (ODT). Walker stated a person claiming to be an Atlanta police officer contacted him on the ODT website and ultimately purchased the firearm. Walker stated he sold the firearm, but did not observe any form of identification, to include a driver's license or police credentials. Walker provided telephone number (470) 385-8755 as the contact number provided by the unknown purchaser. On December 11, 2013, ATF agents conducted another interview of Walker, who stated that he sold the firearm under his ODT username "dwalker" and the ODT username of the purchaser was "GABornArmyBoy."

10. Subscriber information was obtained for telephone number (470) 385-8755. It was found to be registered to Sherrod PEARSON, 698 Holmes St. NW, Atlanta, GA 30318.

11. On August 7, 2013, ATF analysts located a Western Union transaction, associated with the telephone number for Sherrod PEARSON (MTCN 5601740420), in which the following individual sent \$600.00 to Raushanah K. Harris in Los Angeles, CA on June 16, 2013:

Brendan PERSON
698 Holmes Street
Atlanta, GA 30303
Telephone Number: (470) 385-8755.

12. A review of the Georgia driver's license issued to Brendan PERSON establishes that Brendan PERSON's full name is Brendan Sherrod PERSON. As a result, there is reason to believe that Sherrod PEARSON is actually Brendan Sherrod PERSON.

13. ATF obtained toll records for William Jackson's phone number of (404)

664-0657. Analysts determined that phone number (706) 615-1288 was in contact with William Jackson seven (7) times on May 10, 2013, which is the date Jackson advised he came to Atlanta, Georgia to sell his Zastava pistol.

14. A records check found the (706) 615-1288 phone number to be linked to the Georgia's driver's license of Gerren Johnson.

15. An open source review of the Facebook.com website for Gerren Johnson located a Facebook page for user "GREENJOHNSON88." A review of the Facebook page located a photo of a black male holding a large sum of cash money with William Jackson commenting on the post. Two additional Facebook "friends" commented on Johnson's profile as well; namely, Brendan PERSON (user "Brendan.person.1") and Sherman JACKSON.

16. ATF analysts located two ODT usernames associated with Gerren Johnson's telephone number of (706) 615-1288. The first, user "GREENJOHNSON," posted the phone number in a comment left on a firearm sales ad for a Glock 22 pistol in January 2013. The second username was "Yosemitesam." Transaction feedback on the ODT website showed that user "Yosemitesam" purchased firearms multiple firearms between March 14, 2013 and November 8, 2013.

17. A records check found phone number (678) 656-5730 to be linked to the Georgia driver's license of Sherman Bernard JACKSON, and was later confirmed through subscriber information obtained via court order. Analysts were able to determine that this phone number was associated with the ODT user "Romulus."

18. ATF analysts compared the profiles of ODT users "Romulus" and

“Yosemitesam” to the BMR profile for user CherryFlavor, and observed similar postings. For example, on February 8, 2013, CherryFlavor posted a Marlin XL7 .270 sniper rifle for sale on BMR, and on March 4, 2013, “Romulus” posted a Marlin XL7 .270 sniper rifle for sale on ODT. On February 9, 2013, “Romulus” posted a comment on ODT regarding an FS Leinad Skorpion 9mm pistol which stated that the firearm was “one of the ultimate bad guy weapons.” On February 10, 2013, CherryFlavor posted a “newly listed Glock 19 and 9mm Skorpion” for sale on BMR. In addition, ODT user “Yosemitesam” received feedback for the purchase of a Springfield XD-9 pistol on November 6, 2013 and feedback for the purchaser of a Cobray M-11 pistol on November 7, 2013. The same manufacturer, model, and caliber of firearms were then listed for sale on BMR by CherryFlavor on those same dates.

19. On October 15, 2013, United States Postal Inspector (USPI) Kehou Henry contacted ATF SA Lance Greer regarding copies of labels she obtained for suspicious packages mailed from the Wesley Chapel Post Office located at 2724 Wesley Chapel Road, Decatur, Georgia 30034.³ The parcels were mailed from the Wesley Chapel USPO between September 26, 2013 and October 10, 2013, to addresses located in Canada and the United Kingdom (UK). ATF SA Greer forwarded the parcel information to the ATF Office of Strategic Intelligence (OSI), who in turn forwarded the information to investigators in both the UK and Canada.

20. Two (2) of the packages destined for the United Kingdom were intercepted by UK authorities and were determined to contain firearms secreted inside

³ The United States Postal Service is a common carrier.

electronic equipment. The first package, recovered on October 17, 2013 and hereafter PARCEL C, with firearm and relevant shipping information is described as:

- Glock, Model 19, 9mm pistol, bearing serial number UWF640, and;
- Glock, Model 26, 9mm pistol, bearing serial number UPZ118, and contained in;
- PARCEL C, sent on October 10, 2013, USPS Tracking Code EG237235923US, shipped from the USPO located on Wesley Chapel Road in Decatur, GA;
- Consignee: Melissa Lock, 19 Bliss Close, Hinchinbrook, Huntingdon, Cambridgeshire, PE29 6JJ;
- Consignor: JVC Distribution Centre, 9100 Riverside Pkwy NW, Atlanta, GA.

21. The second package, recovered on October 18, 2013 and hereafter PARCEL D, with firearm and relevant shipping information is described as:

- Glock, Model 19 or 26, 9mm pistol, bearing serial number VFD432, and contained in;
- PARCEL D, sent on October 10, 2013, USPS Tracking Code EG237235910US, shipped from the USPO located on Wesley Chapel Road in Decatur, GA;
- Consignee: Martin Beard, 9 Ascot Park, Blythwood Lane, Ascot, Berkshire, SL5 8EP;
- Consignor: Apex Electronics, 4601 Lewis Road, Stone Mountain, GA.

22. One additional package, hereafter PARCEL E, with relevant shipping information is described as:

- PARCEL E, sent on September 26, 2013, USPS Tracking Code EU924661833US, shipped from the USPO located on Wesley Chapel

Road in Decatur, GA.

- Consignee: Aaron Bishop, 47 Anover Way, Aldershot, Hampshire, GU11 3RJ;
- Consignor: FM Outlet, 10541 West Sam Houston Parkway, Houston, TX.

23. On November 25, 2013 and December 31, 2013 search warrants were applied for and obtained from the United States District Court, Northern District of Georgia, for records related to the ODT website usernames “Romulus,” “Yosemitesam,” “GREENJOHNSON,” “ODT’er” and “GABornArmyBoy.” These search warrants are frequently referenced in the traces conducted on firearms seized in this investigation and will be detailed later, in the chronological order in which they were obtained.

24. The Glock 26 pistol bearing serial number UPZ118 and contained in PARCEL C was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Thomas Campbell, located in the Newnan, GA area. On January 8, 2014, ATF SA Greer telephonically interviewed Campbell, who stated that he privately sold the firearm to a former co-worker named Justin Davis in August 2013. On this same date, SA Greer telephonically interviewed Davis, who stated he sold the firearm on ODT under his username “jdavis8.” Davis stated that he was contacted on ODT by user “GABornArmyBoy,” who provided the contact telephone number (470) 385-8755 previously associated with Brendan PERSON. DAVIS stated he met ODT user “GABornArmyBoy” at the Raceway gas station located at Oakley Industrial Boulevard and GA Highway 74 in Fairburn, GA on either September 27 or September 28, 2013. Davis described the purchaser as a black male, approximately 6’2” and 250 pounds,

driving a small sedan vehicle. A review of ODT data obtained via federal search warrant on December 31, 2013 located a private message on September 27, 2013 between “jdavis8” and “GABornArmyBoy” regarding the sale of the Glock 26 pistol.

25. The Glock 19 pistol bearing serial number UWF640 and contained in PARCEL C was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Robert Menz in the Kennesaw, GA area. On December 11, 2013, ATF agents attempted to telephonically interview Menz, who ultimately provided information through his attorney that he had sold the firearm to his brother, Dustin Menz. On this same date, SA Greer telephonically interviewed Dustin Menz, who stated that he sold the firearm on ODT under his username “Dustin.” Menz stated that he sold the firearm to ODT user “Leftehud,” and provided a contact phone number for that individual. On December 12, 2013, SA Greer telephonically interviewed Curtis Davidson, who stated that he purchased the firearm on ODT under his username “Leftehud” from ODT user “Dustin.” Davidson stated that he later sold the firearm on ODT to ODT user “Stan-51.”

26. The Glock 26 pistol bearing serial number VFD432 and contained in PARCEL D was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Malin Harmon in the Riverdale, GA area. On January 8, 2014, ATF agents interviewed Harmon, who stated that he had not purchased a Glock Model 26 pistol, but rather a Glock Model 19 pistol, from FFL Arrowhead Pawn. Harmon stated he is not a formal member of ODT but that he responded to a sales listing on the open forum of ODT regarding a trade for a Saigo .410 shotgun. Harmon stated

that he traded the Glock pistol to a person on ODT named Dan in exchange for a Saigo .410 shotgun approximately one month after he initially purchased the firearm from the FFL in September 2013. Harmon provided a contact phone number for Dan.

27. ATF agents obtained the sales ticket from FFL Arrowhead Pawn for Harmon's purchase of a Glock, Model 19, 9mm pistol bearing serial number VFD432. SA Greer consulted with ATF Interstate Nexus Experts SA Steve Kosch and SA Monty Sharitt, who both stated that no manufacturer, and specifically Glock, can legally reproduce exact same serial numbers across model numbers per federal law.

28. On January 8, 2014, SA Greer telephonically contacted "Dan" at the telephone number provided by Harmon, and determined the individual to be Stan Stevens. Stevens stated he was a member of ODT under username "Stan-51." This is the same username as had been previously identified by Davidson as the purchaser of the Glock 19 pistol contained in PARCEL C. Stevens stated he does not maintain ODT private messages but that he kept notes in a Daytimer regarding some of his sales. Stevens located an entry in his notes for "Cory" regarding a Saigo .410 shotgun and another entry for "Sold Pending Meet" for a G19 (Glock 19) on September 29, 2013 for Malin (Harmon). Additionally, Stevens located an entry on September 30, 2013 for "Brendan" with the notes "policeman" and "Blue Police Impala," as well as a phone number of (470) 385-8755, the same phone number that has previously been associated with Brendan PERSON. Stevens stated "Brendan" arrived in full police uniform and a police car. On January 13, 2014, ATF agents again interviewed Stevens, who stated that he did not ask for any identification from "Brendan" due to the individual being in

uniform and driving a police car, but Stevens admitted that he could not recall a description of the purchaser, nor could he recall seeing any police jurisdiction or other identification on the vehicle.

29. ATF agents were unable to determine which firearm (the Glock 19 in PARCEL C or the Glock 19/26 in PARCEL D) was sold by Stevens to the purchaser identified as “Brendan” and utilizing the phone number associated with Brendan PERSON. However, a review of ODT data obtained via federal search warrant on December 31, 2013 located feedback exchanged between ODT users “Stan-51” and “GABornArmyBoy” on September 30, 2013 and October 2, 2013.

30. The last parcel bound for the United Kingdom, PARCEL E, was never located by UK authorities. However, the package sent to Aaron Bishop resulted in the execution of a search warrant at the address listed on the shipping label, and Bishop was arrested. The unknown firearm was not recovered, but Bishop gave two separate stories regarding the weapon. He claimed that he picked up the package and provided it to two men he would not name. He also claimed that he provided the firearm to a middleman who then provided it to the two unnamed men.

31. The parcel destined for Canada, hereafter PARCEL F, with relevant shipping information is described as:

- PARCEL F, sent on October 8, 2013, USPS Tracking Code EI5600925355US, shipped from the USPO located on Wesley Chapel Road in Decatur, GA;
- Consignee: Kylan Schilling, 177 Nonquon Road, Apt. 515, Oshawa, Ontario, Canada;

- Consignor: Toshiba Authorized Service Center, 5430 Jimmy Carter Boulevard, Norcross, GA.

32. The Royal Canadian Mounted Police (RCMP) forwarded the information regarding PARCEL E to the Durham Regional Police (DRP), who subsequently executed search warrants at Schilling's residence and office on October 19, 2013. The search of his residence resulted in the recovery of the following firearm:

- Glock, model 19, 9mm pistol, bearing serial number RVG593.

33. When officers entered the residence to execute the search warrant, Schilling's laptop computer was open and logged into the BMR website under username "cdnvaper." ATF analysts determined from a review of the BMR website that user "cdnvaper" left feedback on the CherryFlavor profile on October 16, 2013, indicating that "cdnvaper" had received a Glock 19 Gen 4 pistol. The BMR order date from CherryFlavor was October 7, 2013. PARCEL F shipped to Schilling from the Wesley Chapel USPO on October 8, 2013.

34. The Glock 19 pistol recovered from Schilling was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Ricky HOWARD in the Acworth, GA area. On January 21, 2014, ATF SA McLeod telephonically interviewed HOWARD, who stated that he had traded the firearm to a different FFL, which he believed to be FFL Acworth Guns in Acworth, GA. SA McLeod spoke with a clerk at FFL Acworth Guns, who confirmed that HOWARD had traded the Glock 19 pistol to the store in early 2013. The clerk further stated that the pistol had been sold on April 4, 2013 to Benjamin Hall, and provided a copy of the ATF Form 4473

to SA McLeod to confirm the purchase. On January 22, 2014, SA McLeod telephonically interviewed Hall, who stated he had sold the firearm on ODT under his username "bengun66." Hall stated he was contacted on ODT by user "GABornArmyBoy" in June 2013, who provided the contact telephone number (470) 385-8755 that has been previously associated with Brendan PERSON. Hall stated that after corresponding via private messaging on ODT and through text messages, he met with ODT user "GABornArmyBoy" at the Chick-Fil-A restaurant located on Windy Hill Road in Marietta, GA. Hall described the purchaser as a black male, approximately 6'0" tall, driving a dark or black four-door sedan. A review of ODT data obtained via federal search warrant on December 31, 2013 located private messages on June 14 and June 15, 2013 between "bengun66" and "GABornArmyBoy."

35. USPI Henry obtained surveillance video from the Wesley Chapel USPO in reference to the parcels sent on September 26, 2013 (PARCEL E), October 8, 2013 (PARCEL F) and October 10, 2013 (PARCEL C and PARCEL D). From a review of the video surveillance, it appears that all four packages were shipped by the same black male individual.

36. Through additional social media research, pictures of PERSON were located on PERSON's mother's Facebook page. PERSON's driver's license and jail booking photographs of PERSON were previously obtained. These images were visually compared to the surveillance video, and the black male in the surveillance footage appears to resemble suspect Brendan PERSON. Additionally, the video revealed that the suspect parked his vehicle in front of the USPO on September 26, 2013 and October 8,

2013. The vehicle appeared to be a dark colored Chevrolet Impala. On both dates, the suspect was seen removing large cardboard box packages from the passenger seat of the vehicle and entering the post office.

37. On October 25, 2013, ATF conducted physical surveillance and collected license plate information at multiple addresses, to include 698 Holmes Street, Atlanta, Georgia. A blue Chevrolet Impala, bearing Georgia license plate PNW6690, which is registered to PERSON, was located at the apartment complex. This specific vehicle is a “police” model and is equipped with an external spotlight on the driver’s side.

38. On October 28, 2013, ATF conducted physical surveillance at 698 Holmes Street, Atlanta, Georgia and located a 2004 Silver Volkswagen Jetta, bearing Georgia license plate BTU6701, which is registered to Joan Johnson Anderson, of 100 Horseshoe Lane, Hiram, Georgia 30141. Georgia Department of Driver’s Services queries revealed that Gerren Johnson’s driver’s license is registered to 100 Horseshoe Lane, Hiram, Georgia. Additionally, a YouTube video entitled “on my grind-Green Johnson,” shows Gerron Johnson in front of the same vehicle in what appears to be the parking lot of the 698 Holmes St., Atlanta, Georgia apartment complex.

39. On November 12, 2013, United States Postal Inspectors alerted ATF to a suspicious package mailed from the Howell Mill USPO in Atlanta, GA. ATF forwarded this shipping information to the Austrian Europol office, which then coordinated with Austrian Customs authorities to intercept the package, hereafter PARCEL G. The shipping information is described as follows:

- PARCEL G, sent on November 12, 2013, USPS Tracking Code

EI527126873US, shipped from the USPO located on Howell Mill Road in Atlanta, GA;

- Consignee: Christoph Wolf, Weyringergasse 38/5, A-1040 Vienna, Wien, Austria;
- Consignor: Adrian Redfield, Circle Sound, 13700 NW 1st Avenue, Miami, FL.

40. A search of PARCEL G resulted in the recovery of a firearm. The release of further information regarding the firearm and the Austrian investigation is pending the completion of a Mutual Legal Assistance Treaty (MLAT) with Austria.

41. On November 14, 2013, the Sweden National Unit at Europol notified ATF that Customs Officers in the Arlanda Mail Terminal in Sweden had intercepted a package, hereafter PARCEL H. The relevant shipping information is as follows:

- PARCEL H, sent on November 12, 2013, USPS Tracking Code EI752989624US, shipped from the USPO located on Howell Mill Road in Atlanta, GA;
- Consignee: Anders Hellstrom, Kongahallagatan 868, Se-44238 Kungälv, Bohuslan, Sweden;
- Consignor: Adrian Redfield, Circle Sound, 13700 NW 1st Avenue, Miami, FL.

42. A search of PARCEL H resulted in the recovery of a firearm. The release of further information regarding the firearm and the Swedish investigation is pending the completion of an MLAT with Sweden.

43. On November 18, 2013, ATF conducted surveillance at the residence located at 698 Holmes Street, Atlanta, Georgia. At approximately 1:18 pm, a subject

later identified as Sherman JACKSON was observed leaving Apartment A of the 698 Holmes Street NW building carrying two large cardboard boxes with what appeared to be white shipping labels on the sides. JACKSON walked to a silver-colored Ford Taurus and placed the boxes into the trunk of the vehicle. JACKSON returned to Apartment A, retrieved another box that he placed into the vehicle, returned to the apartment again, and then exited carrying paperwork. JACKSON got into the Ford Taurus and departed the apartment complex.

44. ATF surveillance units followed JACKSON. At approximately 2:24 pm, JACKSON arrived at the USPO located at 2929 Post Road, Winston, Georgia 30187. Investigators had previously traced the shipment of PARCEL A to this same USPO. JACKSON was observed entering the post office and then exiting several minutes later with paperwork in hand.

45. At approximately 2:49 pm, JACKSON was observed carrying two large cardboard boxes with white shipping labels attached into the USPO. Shortly thereafter, he returned to his vehicle and retrieved a third box, which he carried into the USPO. ATF Group Supervisor Chad Munn notified USPI Henry about the attempted shipment by JACKSON. At approximately 3:15 pm, JACKSON exited the post office with paperwork in hand, returned to his vehicle and departed.

46. During this same time, USPI Henry seized the three packages mailed by JACKSON at the Winston, Georgia USPO. The packages were taken into USPS custody pending a federal search warrant for their contents.

47. On November 20, 2013, USPI Henry obtained federal search warrants⁴ from the Northern Judicial District of Georgia for the three packages (hereafter PARCEL I, PARCEL J and PARCEL K) seized from the USPO in Winston, GA. The ATF Forensic Laboratory in Atlanta, GA assisted in the execution of the federal search warrants on the packages.

48. PARCEL I was invoiced as an Apex DVD player and DVD movie. The package contained a DVD player and a firearm was found secreted inside. The firearm and relevant shipping information is described as:

- Glock, Model 17 Gen 4, 9mm pistol, bearing serial number G46288 on the receiver and serial number SVP106 on the slide, with one magazine, and contained in;
- PARCEL I, USPS Tracking Code EH960328169US;
- Consignee: J. Dekort, Kube 8, Samberstraat, 2060 Antwerp, Antwerp, Belgium;
- Consignor: Kasey Dunnigan, 2313 Whitesburg Drive South, Huntsville, AL 35801.

49. PARCEL J was invoiced as a DVD player and DVD movie. The package contained a GE brand DVD player and a firearm was found secreted inside. The firearm and relevant shipping information is described as:

- Glock, Model 17 Gen 4, 9mm pistol, bearing serial number VEM403, with two magazines, and contained in;
- PARCEL J, USPS Tracking Code EH960328172US;

⁴ Case Number 1:13-MJ-1687; Case Number 1:13-MJ-1688; and Case Number 1:13-MJ-1689.

- Consignee: L. Winther, Blaakidevej 3, 6880 Tarm, Denmark;
- Consignor: Kasey Dunnigan, 2313 Whitesburg Drive South, Huntsville, AL 35801.

50. PARCEL K was invoiced as an antique cotton candy machine. The package contained a cotton candy machine and a firearm was found secreted inside. The firearm and relevant shipping information is described as:

- Beretta, Model 3032 Tomcat, .32 Auto caliber pistol, bearing serial number DAA434860, with one magazine, and contained in;
- PARCEL K, USPS Tracking Code EI785256860US;
- Consignee: Kyle Strong, 308 Manor Lane, Lee, Se12 OTF London, England, UK;
- Consignor: Kasey Dunnigan, 2313 Whitesburg Drive South, Huntsville, AL 35801.

51. The Glock 17 pistol contained in PARCEL I was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Justin Wills, located in the Stone Mountain, GA area. On December 10, 2013, ATF agents interviewed Wills, who stated he originally purchased the firearm via private sale from an individual on ODT, and that the original serial number of the firearm was SN# SVP106. Wills stated that he had the receiver of the firearm replaced by Glock Inc. in Smyrna, GA, and the new serial number issued on the receiver of the firearm was SN# G46288. This accounts for the two different serial numbers found on the firearm. Wills stated that he later sold the firearm on ODT under his username "chaostat." Wills stated he was contacted on ODT by user "ODT'er" on November 12, 2013, who provided the

contact telephone number (470) 385-8755 that has been previously associated with Brendan PERSON and ODT username "GABornArmyBoy." Wills stated that after corresponding via text messages and phone, he met with ODT user "ODT'er" at the AutoZone store located on Stone Mountain Highway near Lithonia, GA. Wills described the purchaser as a black male, approximately 5'8" with a stocky build, driving a late model blue Chevrolet Impala with a spotlight on the driver side. The description matches that of the 2007 blue Chevrolet Impala registered to PERSON. Wills provided a printed copy of the email notification with the private message from ODT user "ODT'er."

52. The Glock 17 pistol contained in PARCEL J was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Richard Hanson, located in the Flowery Branch, GA area. On December 10, 2013, ATF agents interviewed Hanson, who stated that his name was incorrectly reported on the trace summary and his actual last name was Honsa. Honsa stated he sold the firearm on ODT under his username "ricky_45." Honsa stated he was contacted on ODT by user "Romulus," and after corresponding via private messaging on ODT and text messaging, they met at the Cracker Barrel restaurant located on Friendship Road and Interstate 985 in Buford, GA. Honsa described the purchaser as a black male, approximately 5'9" with a thin face, very well-dressed and well-spoken, driving an older four-door vehicle. Honsa asked if the purchaser could lawfully own a firearm, which the purchaser stated he could, and Honsa asked to see a Georgia concealed carry permit. The purchaser showed Honsa a Georgia concealed carry permit. SA Greer asked Honsa if he might be able to recognize or identify the purchaser if shown photographs, and Honsa stated that he might. SA

McLeod read Honsa the photo line-up admonition and showed Honsa three photographic line-ups, but Honsa was unable to recognize any of the individuals in the photographs. A review of ODT data obtained via federal search warrant on November 25, 2013 located private messages on November 16, 2013 between “ricky_45” and “Romulus,” as well as sales feedback left by “ricky_45” for “Romulus” on November 26, 2013.

53. The Beretta pistol contained in PARCEL K was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Richard Rosenfield, located in the Woodstock, GA area. On December 11, 2013, ATF SA McLeod telephonically interviewed Rosenfield, who stated that he had traded the firearm to FFL Hi-Caliber in Woodstock, GA. ATF agents interviewed a clerk at FFL Hi-Caliber who confirmed that Rosenfield had traded the firearm to the store, stated that the FFL had later sold the firearm to Chris Walker, and provided a copy of the ATF Form 4473 to SA McLeod to confirm the purchase. SA Greer telephonically interviewed Walker, who confirmed that he had purchased the Beretta pistol from FFL Hi-Caliber and stated he had later sold the firearm on ODT under his username “Walkersky89.” Walker stated the firearm was sold to ODT user “UTAH9362” and provided a contact number for the purchaser. On January 8, 2014, SA Greer telephonically interviewed Rich Ramires, who confirmed that he was ODT user “UTAH9362” and that he had purchased the Beretta pistol from ODT user “Walkersky89.” Ramires stated he traded the firearm on ODT to an individual named Chris Girage, and provided a contact number for Girage. On this same date, SA Greer telephonically interviewed Girage, who confirmed that he had purchased the Beretta firearm but later sold the firearm on ODT under his username

“Classic Blue.” Girage stated that he usually deleted private messages on ODT after a sale, but that he would research his ODT profile for any further information related to the sale.

54. On January 8, 2014, Girage contacted SA Greer and related the following information regarding the sales history of the Beretta pistol:

- a. On July 20, 2013, he sold the firearm on ODT to user “Dr J Terrell.”
- b. On July 21, 2013, ODT user “Dr J Terrell” posted the firearm for sale on ODT.
- c. On July 27, 2013, ODT user “Dr J Terrell” left positive feedback for ODT user “GA Johnny.”
- d. On September 14, 2013, ODT user “GA Johnny” listed the firearm for sale on ODT.
- e. On September 19, 2013, ODT user “GA Johnny” left positive sales feed back to ODT user “Golden Jake.”
- f. On October 2, 2013, ODT user “Golden Jake” listed the firearm for sale.
- g. On October 3, 2013, ODT user “J Whit” left positive feedback for user “GA Johnny.”
- h. On October 28, 2013, ODT user “J Whit” posted the firearm for sale, and ODT user “Romulus” publicly contacted “J Whit” regarding the firearm.

55. A review of ODT data obtained via federal search warrant on November

25, 2013 located a private message on October 28, 2013 between ODT users "J Whit" and "Romulus." Based upon the private message, SA Greer was able to locate a contact number for ODT user "J Whit." On January 10, 2014, ATF agents interviewed Jordan Whitson, who confirmed that he was ODT user "J Whit." Whitson stated that ODT user "Romulus" had originally contacted him regarding the sales listing for the Beretta firearm on October 28, 2013, and Whitson had provided a contact telephone number. Whitson stated that "Romulus" did not contact him via text until November 3, 2013, and the telephone number he corresponded with was (678) 570-2451, which has previously been associated with JACKSON. Whitson stated he met "Romulus" at the Kroger Supermarket located on Howell Mill Road in Atlanta on November 3, 2013. Whitson described the purchaser as a black male, approximately 5'8" or 5'9" with a skinny build, and approximately 25 years old. Whitson stated the purchaser arrived in a dark blue Chevrolet Impala, which Whitson believed to be a former police vehicle due to the dark tinted windows and the outside mount for an external mirror or spotlight. Whitson stated he reviewed the purchaser's Georgia driver's license and concealed weapons permit, and observed the name "Jackson" on both, but could not recall if Jackson was the first or last name of the purchaser. Whitson provided copies of the private messages between himself and "Romulus" on ODT on October 28, 2013 and November 4, 2013, as well as the text messages exchanged between him and the (678) 570-2451 telephone number. A further review of ODT data obtained via federal search warrant on November 25, 2013 also located the exchange of sales feedback between "J Whit" and "Romulus" on November 4, 2013.

56. On November 21, 2013, ATF conducted an analysis of user CherryFlavor on BMR, which includes, but is not limited to, the following:

- On November 18, 2013, CherryFlavor had the following firearms listed for sale: Baby Glock 26 9mm Gen 4, Cobray 9mm Mac11 Submachine Pistol, Glock 19, Ruger LC9 with Laser, Springfield XD 9mm Subcompact, Taurus PT1911 .45, and full auto sear kit for all Glocks.
- Between November 14 and November 18, 2013, the date upon which three parcels were seized from the Winston, GA USPO, two listings were removed from the sales postings, indicating that they were sold: namely, a Beretta 3032 Tomcat pistol and a Glock 17 Gen 4 pistol. Both a Beretta 3032 Tomcat Pistol (PARCEL K, Paragraph 50) and a Glock 17 Gen 4 pistol (PARCEL I, Paragraph 48) were seized in the intercepted parcels.

57. On November 21, 2013, ATF agents applied for and received a federal search warrant⁵ authorizing the search of Sherman JACKSON's residence located at 698 Holmes Street NW, Apartment A, Atlanta, Georgia, 30318. On this same date, ATF agents executed the search warrant and seized, among other items:

- a. Marlin, Model XL-7, .270 caliber rifle, serial number 91726482, which is the same manufacturer, model and caliber as the firearm discussed in the post by user "Romulus" on ODT and CherryFlavor on BMR (see Paragraph 18);
- b. An empty box for a Glock, Model 17, 9mm pistol, serial number SVP106, which matches the firearm seized from PARCEL I sent to Jan Dekort in Antwerp, Belgium (see Paragraph 48);
- c. An empty box for a Glock, Model 17, 9mm pistol, serial number VEM403, which matches the firearm seized from PARCEL J sent to L. Winther in

⁵ Case Number 1:13-MJ-1699.

Denmark (see Paragraph 49);

- d. An empty box for a Beretta, Model 3032 Tomcat, .32 caliber pistol, which matches the manufacturer, model and caliber as the firearm seized from PARCEL K sent to Kyle Strong in the UK (see Paragraph 50);
- e. Glock, Model 17 Gen 4, 9mm pistol, bearing serial number VEF823;
- f. Ruger, Model LC9, 9mm pistol, bearing serial number 323-04600;
- g. Glock, Model 19, 9mm pistol, bearing serial number VLA740;
- h. Test fire casings for a Walther, Model P22, .22 caliber pistol, bearings serial number Z099814;
- i. Test fire casings for a Glock, Model 23 Gen 4, .40 caliber pistol, bearing serial number SBR077;
- j. An empty box for a Glock, Model 17, 9mm pistol, bearing serial number NST748; and
- k. An Apple I-Phone 5, Serial Number DNRK5DJ3DTTN, utilizing telephone number (404) 632-6287.

58. As granted in the federal search warrant, ATF SA McLeod conducted an analysis of the data stored on the Apple I-Phone 5 seized from JACKSON during the course of the warrant on his residence. Many of the following determinations are based upon SA McLeod's knowledge of the BMR website and review of the evidence seized during the search. According to SA McLeod, an analysis of the contacts stored in the phone revealed the following:

- The mobile number assigned to the phone is (787) 245-7867, which originates in Puerto Rico. However, based upon SMS and MMS messaging, it appears that the current mobile number utilized by the phone is (404) 632-6287. This number is listed in the phone contacts as "Me,"

with the associated email address of 89gunman@gmail.com and the address of 698 A Holmes Street NW, Atlanta, Georgia 30318.

- The contacts contained two entries for “Gerren,” believed to be Gerren Johnson, with two associated phone numbers; specifically, one of which is (706) 615-1288.
- The contacts contained an entry for “Brendan,” believed to be Brendan PERSON, with several associated phone numbers; specifically, one of which is (678) 385-8755, the number for which Sherrod PEARSON is listed as the subscriber.

59. An analysis of the call log stored on the phone revealed that between November 15, 2013 and November 21, 2013 (the date that the phone was seized), there were numerous phone calls between JACKSON, the number (470) 385-8755 associated with PERSON, and the number (706) 615-1288 associated with Johnson.

60. An analysis of the photographs stored in the Apple I-Phone 5 revealed the following:

- JPEG Image *image_66* is a screenshot of the BMR website. The screenshot contains the header “BMR-CherryFlavor” just above the URL.
- JPEG Image *image_67* is a screenshot of the BMR website. The screenshot contains a listing of the feedback (user reviews) left for the user. Several of the reviews mention “Cherry,” which is known to be a reference to user “CherryFlavor.”
- JPEG Image *image_90* is a photograph of a topless Asian woman imprinted with the initials “CF” in the top left and lower right corners, as well as the words “CherryFlavor” and “BMR” across the center.
- JPEG Image *original* has the same imprinted photograph as seen in JPEG Image *image_90*, with a Springfield Armory XD9 9mm pistol placed over it.

- JPEG Image *image_93* is a photograph of a blonde woman imprinted with the initials “CF” in the upper left corner, and the words “CherryFlavor” and “BMR” across the bottom. The photograph of the woman is the same as used by BMR user “CherryFlavor” as his icon on the BMR website.
- JPEG Image *IMG_1749* is a screenshot of an online banking account listing the owner as “Mr. Sherman Jackson” with the associated email address 89gunman@gmail.com. Of particular note is the IP address associated with the account (IP: 66.87.109.142) which has appeared in federal search warrant data received on November 25, 2013 for ODT user “Romulus.”⁶

61. An analysis of the installed “apps,” or applications, stored on the phone revealed that iTorChat and The Onion Browser (TOR)⁷ were installed on the phone. TOR is the application through which the BMR website must be accessed.

62. An analysis of the calendar notes stored on the phone found the following notation of “Pearl: EH960328186US” dated November 20, 2013. SA McLeod queried the number and found it to be a United States Postal Service tracking number. USPI Henry was able to locate the corresponding shipping label, originating out of the Moreland Avenue USPO in East Atlanta, GA. The package was dated November 19, 2013 and was addressed to an Anders Hellstrom in Bahustan, Sweden, the same recipient as listed on PARCEL H (Paragraphs 41 and 42). This shipping information was provided by ATF to the Sweden National Unit at Europol.

⁶ Case Number 1:13-MJ-1723.

⁷ The Onion Router, commonly known as TOR, is a computer program designed to create an anonymous network through which an individual can access the internet while masking, or otherwise routing, their Internet Protocol (IP) address in a manner that makes it difficult or impossible to trace.

63. ATF initiated traces of the firearms recovered from JACKSON's residence, as well as for the empty Glock box (Paragraph 57j) and the test fire casings (Paragraph 57h and 57i). The Marlin rifle was traced by the ATF National Tracing Center and was determined to be lawfully purchased from FFL Nick's Gun & Range in Marietta, GA on October 17, 2009 by Sherman JACKSON.

64. The Glock 17 pistol seized from JACKSON (Paragraph 57e) was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Christopher Holder, located in the Cumming, GA area. On December 10, 2013, ATF agents interviewed Holder, who stated that he had sold the firearm on ODT under his username "Cand T0274." Holder stated he was contacted via private messaging on ODT by user "ODT'er," who provided the (470) 385-8755 phone number previously associated with PERSON and ODT user "GABornArmyBoy." Holder stated that he met "ODT'er" at the Academy Sports Store in Cumming, GA on November 18, 2013. Holder described the purchaser as a black male, approximately 6'0" and 240 pounds with a medium build and buzzed hair, driving a dark Chevrolet Impala "police vehicle" with a spotlight on the driver side. Holder asked the purchaser to see his driver's license and concealed carry permit, both of which the purchaser showed to him. Holder advised that he was an employee of FFL Bulls Eye Marksman, from whom he originally purchased the firearm, and he had been present when the ATF National Tracing Center called the FFL to trace the firearm. Holder stated that he called the purchaser, who told him that he had sold the firearm. Holder further stated that after SA McLeod had contacted him to arrange the interview, he had attempted to call the

purchaser again, but the number had been disconnected. Holder provided a copy of the private message he received on ODT from user "ODT'er." A review of ODT data obtained via federal search warrant on December 31, 2013 located private messages on November 18, 2013 and December 3, 2013 between "Cand T0724" and "ODT'er."

65. The Ruger LC9 pistol seized from JACKSON (Paragraph 57f) was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by William Hindman in the Locust Grove, GA area. On January 3, 2014, SA Greer telephonically interviewed Hindman, who stated that he privately traded the pistol to a person known to him as "Jesse," and provided a contact phone number. On this same date, SA Greer telephonically interviewed Jesse Tims, who confirmed that he traded the firearm from Hindman and later sold the firearm on ODT under his username "JesseT." TIMS checked his ODT profile and determined that he sold the firearm to ODT user "Scott1769kjb," and provided a contact phone number. On this same date, SA Greer telephonically interviewed Scott McElyea, who confirmed that he was ODT user "Scott1769kjb." McElyea stated he had recently deleted private messages on his ODT profile, but stated that he had a feedback on October 16, 2013 related to the sale of the firearm. McElyea stated that the ODT user was "GABornArmyBoy." McElyea located text messages on his phone related to the transaction, and provided the (470) 385-8755 phone number previously associated with PERSON, JACKSON, and ODT users "ODT'er" and "Romulus." McElyea stated he met the purchaser at the Bass Pro Shop in Lawrenceville, GA on or around October 12, 2013, and described the purchaser as a black male, heavier set and driving a small sedan.

66. The Glock Model 19 pistol seized from JACKSON (Paragraph 57g) was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Eric Tingler in the Newborn, GA area. On January 3, 2014, SA Greer telephonically interviewed Tingler, who stated that he sold the firearm on ODT under his username "Dawgs2323." Tingler stated he was contacted via private messaging on ODT by user "ODT'er," who provided the telephone number (470) 385-8755 that has previously been associated with PERSON, JACKSON, and ODT users "GABornArmyBoy" and "Romulus." Tingler stated he met with "ODT'er" on November 14, 2013, and sold two Glock pistols to the individual. Tingler could not provide a serial number for the second firearm, but stated that it was also a Glock Model 19 9mm pistol. Tingler described the purchaser as a black male, approximately 6'0" and 230 pounds, driving a dark "former police model" Chevrolet Impala with a mount on the driver's side for an external spotlight.

67. The serial number listed on the empty Glock 17 pistol box seized from JACKSON (Paragraph 57b) was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Anthony Yates, located in the Covington, GA area. On February 6, 2014, SA Greer telephonically interviewed Yates, who stated that he sold the firearm to his co-worker, Alex Tidwell. SA Greer telephonically interviewed Tidwell, who stated that he sold the firearm on ODT under his username "ForrestGump15." Tidwell later contacted SA Greer to provide additional information, stating that he had sold the firearm to ODT user "Hackja4fun" on July 30, 2013, and provided the contact number for the purchaser. On this same date, SA Greer

contacted Jeremy Bales, who confirmed that he was ODT user "Hackja4fun" and stated that he had sold the firearm to his brother, Jason Bales. Jeremy Bales was able to log into the ODT account of his brother Jason Bales, and relayed that although there were no private messages remaining, his brother did have feedback on November 6, 2013 from ODT user "ODT'er." Jeremy Bales provided SA Greer's contact information to his brother, and Jason BALEs contacted SA Greer for a telephonic interview. Jason Bales stated that his ODT username was "Matthewzmax." Bales was unable to recall any details about the sale to "ODT'er." A review of ODT data obtained via federal search warrant on December 31, 2013 located private messages on November 4, November 6 and November 7, 2013 between "Matthewzmax" and "ODT'er," in which "ODT'er" provided the (470) 385-8755 telephone number previously associated with PERSON, JACKSON, and ODT user "GABornArmyBoy" and "Romulus." The review also located feedback exchanged between "Matthewzmax" and "ODT'er" on November 5 and November 6, 2013.

68. The serial number for the Walther P22 test fire casings seized from JACKSON (Paragraph 57h) was traced by the ATF National Tracing Center and was determined to be lawfully purchased from FFL Harleys Guns and Ammo, Inc. by Sherman JACKSON. The firearm was sold at the RK Gun Show in Marietta, GA on January 20, 2013.

69. The serial number for the Glock 23 test fire casings seized from JACKSON (Paragraph 57i) was traced by the ATF National Tracing Center and was determined to be lawfully purchased from an FFL by Brandon Calvary in the Dallas, TX

area. On January 16, 2014, SA Greer telephonically interviewed Calvary, who stated that he lived in Tennessee and had sold the firearm through the GlockTalk.com website in January 2013. On January 17, 2014, after reviewing his notes, Calvary provided the name "Jeremy" and a contact phone number for the purchaser. On this same date, SA Greer telephonically interviewed Jeremy Yarbrough, who confirmed that he purchased the Glock 23 pistol and later sold it on ODT under his username "JerYar." Yarbrough stated he was contacted via private messaging on ODT by username "Romulus" and that the sale had occurred on January 24, 2013. Yarbrough could not specify the race of the purchaser, but described him as small in stature and skinny. Yarbrough stated he confirmed that the purchaser had a concealed weapons permit but did not recall any other identifying information. A review of ODT data obtained via federal search warrant on November 25, 2013, located private messages on January 24, 2013, between "JerYar" and "Romulus."

70. On November 25, 2013, ATF agents applied for and received a United States District Court, Northern District of Georgia search warrant⁸ for records related to TheOutdoorsTrader.com (ODT) website usernames "Romulus," "GREENJOHNSON," and "Yosemitesam." An analysis of the private messaging data returned from ODT for the aforementioned usernames includes, but is not limited to, the following:

- User "Romulus" identified himself in several messages as Sherman, Bernie, and Jackson. When attempting to contact another ODT user regarding a firearm to purchase, "Romulus" also requested the seller to contact the telephone number (678) 656-5730 or to email JACKSON's

⁸ Case Number 1:13-MJ-1723

known email address of 89gunman@gmail.com.

- On February 19 and 20, 2013, "Romulus" requested the seller to contact or text telephone number (470) 385-8755, the number associated with Brendan PERSON.
- "GREENJOHNSON" and "Yosemitesam" both request ODT sellers to contact telephone number (706) 615-1288, the number associated with Gerren Johnson.
- "Yosemitesam" informed an ODT user prior to meeting that he will be driving a "grey jetta." A silver Volkswagen Jetta has been previously associated with Johnson (Paragraph 39).
- On July 12, 2013, "Yosemitesam" requested an ODT user to contact him at telephone number (404) 632-6287, the number associated with the phone seized from JACKSON.

71. Also on November 25, 2013, the Sweden National Unit at Europol notified ATF that based upon shipping information provided by ATF, Swedish Customs Officers in the Arlanda Mail Terminal in Sweden had seized a package, hereafter PARCEL L. The relevant shipping information is as follows:

- PARCEL L, sent on November 19, 2013, USPS Tracking Code EH960328186US, shipped from the USPO located on Moreland Avenue in Atlanta, GA;
- Consignee: Anders Hellstrom, Kongahallagatan 868, Se-44238 Kungälv, Bohuslan, Sweden;
- Consignor: Gabriel Sanchez, All Pro Sound, 806 Beverly Parkway, Pensacola, FL.

72. The USPS tracking number for PARCEL L matched that of the note located during an analysis of the cellular telephone seized from JACKSON (Paragraph

62). The shipping information and date matched that of the tracking information. A search of PARCEL L resulted in the recovery of a firearm. The release of further information regarding the firearm and the Swedish investigation is pending the completion of an MLAT with Sweden.

73. On December 31, 2013, ATF agents applied for and received a United States District Court, Northern District of Georgia search warrant⁹ for records related to the ODT website usernames “GABornArmyBoy” and “ODT’er.” An analysis of the private messaging data returned from ODT for the aforementioned usernames includes, but is not limited to, the following:

- User “GABornArmyBoy” consistently used the telephone number (470) 385-8755.
- User “ODT’er” consistently used telephone number (470) 385-8755 and occasionally used (678) 570-2451.
- On November 17, 2013, in a private message, “ODT’er” informs user “Fsc194” that he will be driving a blue Impala.

74. On January 17, 2013, the Provincial Weapons Enforcement Unit in Ontario, Canada notified ATF that on November 15, 2013, during the course of a search warrant on the residence of Delano Norman, the Toronto Police seized the following firearm:

- Walther, Model P22, .22 caliber pistol, bearing serial number Z005606

⁹ Case Number 1:13-MJ-1863

75. ATF was notified because the firearm had been previously traced by ATF. In particular, this firearm had been identified after ATF OSI located multiple YouTube videos associated with a personal website owned by Sherman JACKSON. Not only was it confirmed through contact information and the website registrar that JACKSON was the owner and the creator of the website that linked to the YouTube videos, but JACKSON can clearly be seen and identified in the video. The firearm and the serial number are also clearly visible in the video, and based upon this information, a trace was initiated. The ATF National Tracing Center was able to locate the original purchaser of the firearm, identified as Sherman Bernard JACKSON on the ATF Form 4473 completed by JACKSON as the purchaser of the firearm and verified by the date of birth and other personal information provided on the form.

76. In December 2013, based upon information obtained from an audit conducted by USPI Henry of several United States Post Offices, over fifty packages were identified as possibly being related to this investigation. The shipping information obtained by USPI Henry was forwarded by ATF OSI to investigators in Canada, the United Kingdom, Germany, Sweden, Austria, Ireland, France, Australia, Belgium and The Netherlands. The release of further information regarding these packages and the investigations are pending the completion of the MLAT's with those countries.

77. One parcel identified in the audit, bound for Canada and hereafter PARCEL M, is described as follows:

- PARCEL M, sent on May 31, 2013, USPS Tracking Code EI420028958US, shipped from the USPO located on Howell Mill Road in

Atlanta, GA;

- Consignee: Domenic Palazzolo, 111 Preston Hill Crescent, Concord, Ontario, L4K 5L5, Canada;
- Consignor: Rory Taylor, River Town Pawn, 2125 Harkrider Street #38, Conway, AR 72032.

78. On February 27, 2014, the Provincial Weapons Enforcement Unit in Ontario, Canada notified ATF that, acting upon shipping information for PARCEL M, Canadian authorities had obtained and served a search warrant upon the residence of Domenic Palazzolo. During the course of the search warrant, the following firearm was seized:

- Glock, Model 26 Gen 4, 9mm pistol, bearing serial number TPY771

79. The Glock pistol recovered from Palazzolo was traced by the ATF National Tracing Center and was determined to have been lawfully purchased from an FFL by Glen Williams in the Roswell, GA area. On February 28, 2014, SA McLeod telephonically interviewed Williams, who stated that he traded the firearm on ODT under his username "Cajun." Williams provided the first name of "Jeremy" and a phone number for the individual with whom he conducted the trade. On this same date, SA McLeod telephonically interviewed Jeremy Sims, who confirmed that he had traded the Glock pistol with ODT user "Cajun" and that he had later sold the firearm. Sims stated he had posted the firearm for sale both on ODT under his username "shootingforfun," and also on Armslist.com, a website similar to Craigslist in which individuals can post firearms for sale. Sims stated he was contacted via email regarding his Armslist.com posting from address 89gunman@gmail.com, which has previously been associated with

Sherman JACKSON. Sims further stated the purchaser provided his name as “Jackson” and provided the telephone number (404) 632-6287, which has previously been associated with JACKSON. Sims stated he met the purchaser at the Starbucks on Howell Mill Road in Atlanta on May 31, 2013, and described the purchaser as a black male, approximately 5’9” with a skinny build.

80. On March 20, 2014, SA McLeod received information from ATF OSI that a vendor identified as “CherryFlavor_2” was operating on the Agora market¹⁰. A review of the vendor page and sales listings for vendor “CherryFlavor_2,” as well as for forum user “Cherry_Flavor,” includes, but is not limited to, the following:

- Vendor “CherryFlavor_2” describes himself as “The original BMR number one weapons seller with over 155+ feedback.” His vendor page includes a TOR link to the Darknet Feedback Database for BMR user CherryFlavor’s feedback.
- “CherryFlavor_2” had three listings for a total of five firearms for sale (one Raven MP .25 caliber pistol, two Glock 19 Gen 3 9mm pistols, and two Glock 17 Gen 4 9mm pistols). In the sales listings, the firearms are placed on top of a photograph of a blonde, Caucasian woman whose photograph was also the avatar for CherryFlavor on BMR. This is the same JPEG Image *image_93* that was located on the Apple I-Phone 5 seized from JACKSON’s residence.

81. On March 21, 2014, SA McLeod conducted an analysis of the Agora vendor page for “CherryFlavor_2” and the Agora forum for “Cherry_Flavor,” which

¹⁰ Agora, like BMR, is a “black market” type website operating on the TOR network. It utilizes both “buyer” and “vendor” accounts and conducts transactions in the Bitcoin currency. It also concurrently operates a separate forum for its users.

includes, but is not limited to, the following:

- Three additional firearms had been listed for sale; namely, a Cobray M-11 9mm Stainless Steel pistol, a Ruger P95 9mm pistol, and a Taurus PT1911 .45 caliber pistol.
- The sales listing for the Cobray M-11 pistol had a photograph of the same female avatar with the text “BMR” printed on the photograph. The description contained in the sales posting stated “Updated pictures coming soon!!! Apologies for the old pics. Decided to pull it out and list it for sale!!!”
- The sales listings for the Ruger P95 pistol and the Taurus PT1911 pistol had the firearms photographed in front of the same female avatar for CherryFlavor.

82. A prior analysis of the BMR site on November 18, 2013 found that BMR user “CherryFlavor” had a Cobray 9mm Mac-11 Submachine pistol and a Taurus PT1911 .45 pistol for sale (Paragraph 56).

83. On March 25, 2014, SA McLeod conducted an analysis of the Agora vendor page for “CherryFlavor_2” and the Agora forum for “Cherry_Flavor,” which includes, but is not limited to, the following:

- The sales listing for the Taurus PT1911 pistol had been removed, and the sales listing for two Glock 17 Gen 4 pistols now only stated “one available.” Based upon this change, it appears as if two firearms had been sold since the previous analysis date on March 21, 2014.
- There was one new feedback on the vendor page for “CherryFlavor_2” which stated “This is the real Cherry! Fast, professional, full escrow, product as new! Warmly recommended! If in doubt, contact Cherry.” There was no sales listing linked to this feedback and the purchaser was

again only listed as “anon.”

- A review of the Agora forum located a topic entitled “Cherryflavor Scam or Trusted?” in which several forum users discuss the validity of CherryFlavor as a vendor on Agora. Forum user “Cherry_Flavor” participated in the discussion, stating “I now have two positive feedbacks from buyers who have received their merchandise. There will be several more feedbacks in the coming days.”

84. On March 26, 2014, during the course of the audit, USPI Henry located an additional package believed to be associated with this investigation. The shipping information for this package was forwarded to the ATF Liaison at Europol for dissemination to authorities in The Netherlands. The package, hereafter PARCEL N, is described as follows:

- PARCEL N, sent on February 27, 2014, USPS Tracking Code EG988567671US, from the USPO in Lithonia, GA;
- Consignee: John van Aert, Leemstraat 15, 4750 RT Roosendaal, Noord-Brabant, The Netherlands;
- Consignor: Dante Lopez, LG Electronics, 469 Kingspointe Parkway, Orlando, FL 32819.

85. USPI Henry obtained surveillance video for the February 27, 2014 mailing of PARCEL N out of the Lithonia, GA USPO. PARCEL N was sent by a black male individual who appears to resemble suspect Sherman JACKSON.

86. On March 27, 2014, SA McLeod conducted an analysis of the Agora vendor page for “CherryFlavor_2” and the Agora forum for “Cherry_Flavor,” which includes, but is not limited to, the following:

- The sales listing for one Glock 17 Gen 4 pistol had been removed, indicating that the firearm had sold.
- A new sales listing titled “Custom shipping for Gerald” was posted.

87. On March 28, 2014, SA McLeod conducted an analysis of the Agora vendor page for “CherryFlavor_2” and the Agora forum for “Cherry_Flavor,” which includes, but is not limited to, the following:

- The sales listing for two Glock 19 Gen 3 pistols had been removed, indicating that both firearms had been sold.
- The sales listing for “Custom shipping for Gerald” had been removed.
- There was one new feedback on the vendor page for “CherryFlavor_2,” which linked to the “Custom shipping for Gerald” sales listing and stated “The Big man, Trust in Cherry Flavor ;)”
- A review of the Agora forum located multiple topics regarding CherryFlavor, including one titled “Yeah, it’s the real cherryflavor that scammed me out of 5k and cutoff comm” in which forum user “Cherryflavor_Scammed_30K+” alleges that he lost \$5,000 for full escrow on a cocaine deal that fell through with CherryFlavor on BMR. There had been prior discussion on the BMR forums regarding user CherryFlavor selling (and falling through) on cocaine deals. In addition to this topic, user “Cherryflavor_Scammed_30K+” had posted on numerous other forum threads with the same accusations. There were two new posts from user “Cherry_Flavor” on the forum, both of which contained nearly identical statements acknowledging that he “could have handled business better in the past,” refuting having scammed the BMR community out of 30k, and stating that “It is my goal to continue to improve my operation and provide an even higher level of service than I did on BMR.”

88. On April 2, 2014, SA McLeod analyzed postings on the website Agora. There were new posts in the Agora forum topic "Weapons vendor review: CherryFlavor_2, xdoc & Lector83." In particular, user "Faxone" discussed purchasing a Glock 17 Gen 4 pistol from Cherry_Flavor and appeared to be complaining about releasing escrow to the seller. Cherry_Flavor responded to the comments made in the forum topic, but in particular stated the following. "I informed you that your item should be shipped out this week and you would be updated with tracking. There is no need to keep messaging me to ask if it has been shipped." CherryFlavor further stated, "Your order is not the only Glock 17 Gen 4 that I have in stock. If I have listed an item again, it is because I now have more available. My other listings have absolutely nothing to do with your order as your item has already been reserved."

89. This information regarding the purchase of a Glock 17 Gen 4 pistol by French Agora user "FAXONE" was provided to USPI Henry, who located two packages mailed out of the Lithonia, GA USPO on April 2, 2014 and bound for France. USPI Henry intercepted both packages, which were taken into USPS custody pending a federal search warrant for their contents.

90. On April 4, 2014, USPI Henry obtained federal search warrants¹¹ from the Northern Judicial District of Georgia for the two packages (hereafter PARCEL O and PARCEL P) seized from the USPO in Lithonia, GA. On April 8, 2014, the ATF Forensic Laboratory in Atlanta, GA assisted in the execution of the federal search warrants on the packages.

¹¹ Case Number 1:14-MC-301 and Case Number 1:14-MC-302

91. PARCEL O was declared on the USPS Customs Declaration form as Logitech speakers. The package contained a Logitech LS21 subwoofer and two stereo speakers, and a firearm was found secreted inside. The firearm and relevant shipping information is described as follows:

- Glock, Model 17, 9mm pistol, bearing serial number UUA119, with one magazine, and contained in;
- PARCEL O, sent on April 2, 2014, USPS Tracking Code EG988567773US;
- Consignee: M. Moulon, 9 Alee de L'Universite, 92130 Issy-Les-Moulineaux, Hauts-de-Seine, France.
- Consignor: Wesley Fletcher, LG Corp, 615 N. Zaragoza Road, El Paso, Texas, 79907.

92. PARCEL P was declared on the USPS Customs Declaration form and the invoice contained inside the package as Logitech LS21 speakers. The package contained a Logitech LS21 subwoofer and two stereo speakers, and a firearm was found secreted inside. The firearm and relevant shipping information is described as follows:

- Glock, Model 17 Gen 4, 9mm pistol, bearing serial number WMX221, with one magazine, and contained in;
- PARCEL P, sent on April 2, 2014, USPS Tracking Code EG988567787US;
- Consignee: Sebbagh Alexandre, Post Restanet, La Poste, Allee Andre Benoist, 77410 Claye-Souilly, France
- Consignor: Cory Brooks, Logitech USA, 7600 Gateway Boulevard, Newark, CA 94560.

93. The Glock 17 pistol contained in PARCEL O was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Hugh Hindmon, located in the Rockmart, GA area. On April 9, 2014, SA Greer telephonically interviewed Hindmon, who stated he sold the firearm to Bobby Helms, and provided a contact telephone number for Helms. On this same date, SA McLeod telephonically interviewed Helms, who confirmed he purchased the Glock 17 pistol from Hindmon and later sold the firearm on ODT under his username "Bobbyhelms." Helms stated the purchaser of the firearm was ODT user "tlg105," and provided the first name of Troy and a contact telephone number for the purchaser. On this same date, SA McLeod telephonically interviewed Troy Gann, who confirmed he was ODT user "tlg105" and that he had purchased the Glock 17 pistol from Helms. Gann stated he sold the firearm on ODT to user "TraderTommy" on March 28, 2014. Gann stated he was contacted via private messaging by "TraderTommy," who first provided a contact telephone number of 404-416-3011. When Gann sent a private message stating that the phone number didn't work, "TraderTommy" provided the additional contact telephone number of 470-213-0571. Gann stated he met with the purchaser at the People Pleaser gas station in Bremen, GA. Gann described the purchaser as a black male, late 20's in age, approximately 5'10" with a stocky build, driving an old police vehicle with a spotlight on the driver side. Gann provided SA McLeod with a screen shot of the private messages between himself and ODT user "TraderTommy." An open source review of the ODT profile for user "TraderTommy" found feedback left by ODT user "tlg105" on March 28, 2014.

94. The Glock 17 pistol contained in PARCEL P was traced by the ATF National Tracing Center, and was determined to be lawfully purchased from an FFL by Cheryl Estrada, located in the Villa Rica, GA area. Due to the extremely short time from purchase of the firearm on March 2, 2014 to the seizure of PARCEL P on April 2, 2014, ATF agents are obtaining further intelligence on the purchaser prior to conducting an interview of Estrada.

95. USPI Henry obtained surveillance video from the Lithonia, GA USPO depicting the shipments of PARCEL O and PARCEL P on April 2, 2014. Based upon a review of the video surveillance, two individuals appearing to resemble suspects Brendan PERSON and Sherman JACKSON are seen entering the USPO, each carrying a package. PARCEL O, with the "LG" logo visible on the shipping label, was shipped by the individual who appears to resemble PERSON. PARCEL P was shipped by the individual who appears to resemble JACKSON.

96. On November 20, 2013, an ATF records check found that neither Sherman Bernard JACKSON nor Brendan Sherrod PERSON were licensed as Federal Firearms dealers.

CONCLUSION

97. Based upon this information and the facts set forth in this affidavit there is probable cause to believe that Sherman Bernard JACKSON and Brendan Sherrod PERSON have committed violations of Title 18, United States Code, Section 922(a)(1)(A), engaging in the business of dealing in firearms without a license; Title 18,

United States Code, Section 554(a) Smuggling Goods from the United States; Title 18

United States Code 922(e) Failing to Disclose Firearms to a Common Carrier; Title 18,

United States Code, Section 371 Conspiracy and Title 18, United States Code, Section 2.